APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,777	02/24/2000	Okoziem Allen	2204/A14	5651

			EXAMINER
34845	7590	02/17/2004	ENGLAND, DAVID E

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ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 December 2003</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-4 and 6-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-4 and 6-16</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>24 February 2000</u> is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 4 and 6 – 16 are presented for examination.

Drawings

1.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the apportioning at least one address into a first portion and a second portion, the first portion selected from a group consisting of a left most portion and a right most portion must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   Claims 1, 8, 15 and 16 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with

which it is most nearly connected, to make and/or use the invention. The limitation of

"apportioning at least one address into a first portion and a second portion, the first portion

selected from a group consisting of a left most portion and a right most portion", is not found

anywhere in the specification

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

5.   Claims 3, 6 – 8, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. The term "first portion" is not stated anywhere in the

specification. Although, the specification does state a "left most" and a "right most" portion on

page 6 of application. The term "first portion" is an ambiguous term in that there is no

determination as to which side would be considered "first". Applicant needs, if it is desired to

keep this type of term, to state which side the first portion is related to. It is also advised to do the

same with the second portion

6.   Claims 1, 8, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. The limitation of "the regular expression is <u>selected</u> from a

group consisting of concatenation characters and operation characters," is not disclosed

anywhere in the specification. However, the limitation of "define" is found in regards to the

limitation discussed above and it is not clear as to the meaning of "define" and if it is in some

way part of a "selection" process.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

8. Claims 1, 8 – 10, 13, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated

by Romanov U.S. Patent No. 6434144.

9.   Referencing claim 1, as understood by the Examiner, Romanov teaches a method for

representing addressing information in a communication system, the method comprising the

steps of:

10.   apportioning at least one address into a first portion and a second portion, the first portion

selected from a group consisting of a left most portion and a right most portion, (e.g. tables 5 – 8

& col. 6, line 59 – col. 7, line 22);

11.   encoding only the first portion at least one address using a regular expression, (e.g. tables

5 – 8 & col. 6, line 59 – col. 7, line 22);

12.   appending the encoded first portion to the second portion to provide a modified address,

(e.g. tables 5 – 8 & col. 6, line 59 – col. 7, line 22), and

13.   using the modified address in place of at least one address, wherein the regular

expression is selected from a group consisting of concatenation characters and operation

characters, (e.g. tables 5 – 8 & col. 6, line 59 – col. 7, line 22).

14.   Referencing claim 9, Romanov teaches the storage comprises and address configuration

table, (e.g. tables 1 – 8 & col. 6, line 59 – col. 7, line 22).

15.   As per claim 10, Romanov teaches wherein the regular expression defines a source

address group, (e.g. tables 5 – 8 & col. 6, line 59 – col. 7, line 22).

16.   As per claim 13, Romanov teaches wherein the storage comprises a routing table, (e.g.

tables 5 – 8 & col. 6, line 59 – col. 7, line 22).

17.   Claims 8, 15 and 16 are rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

19.   Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Romanov

(6434144) in view of Ankney et al. (5113499) (hereinafter Ankney).

20.   As per claim 2, Romanov does not specifically teach at least one address comprises at

least one X.121 address. Ankney teaches at least one address comprises at least one X.121

address, (e.g. col. 9, lines 6 – 30). It would have been obvious to one skilled in the art at the time

of the invention to combine Ankney with Romanov because if a user needed to utilize a system

that used X.121, it would be more efficient to have a diverse system with multiple addressing

schemes.

21.   As per claim 3, as understood by the Examiner, Romanov teaches using the modified

address in place of the at least one address includes storing the modified address in an address

configuration table, (e.g. tables 5 – 8 & col. 6, line 59 – col. 7, line 22).

22.   Claims 4, are rejected under 35 U.S.C. 103(a) as being unpatentable over Romanov

(6434144) in view of Beser (6189102).

23.   As per claim 4, Romanov does not specifically teach wherein the at least one address

comprises at least one MAC address. Beser teach wherein the at least one address comprises at

least one MAC address, (e.g. col. 35, lines 6 – 32). It would have been obvious to one skilled in

the art at the time of the invention to combine Beser with Romanov because it would be more

versatile if the system utilized the functionality of a MAC address so a device has a physical

address along with a logical address.

24.   Claims 7, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Romanov (6434144) in view of Beser (6189102) in further view of Belser et al. (6151324)

(hereinafter Belser).

25.   As per claim 7, Romanov and Beser do not specifically teach wherein using the regular

expression in place of the first portion of the at least one address comprises storing the regular

expression in a management information base. Belser teaches wherein using the regular

expression in place of the first portion of the at least one address comprises storing the regular

expression in a management information base, (e.g. col. 10, lines 20 – 45). It would have been obvious to one skilled in the art at the time of the invention to combine Belser with the combine system of Romanov and Beser because it allows a network manager monitor packets to ensure that transmission is successful and that devices are available in the network.

26.   As per claim 14, Romanov does not specifically teach wherein the regular expression defines a forwarding equivalence class for a routing table entry. Beser teaches wherein the regular expression defines a forwarding equivalence class for a routing table entry, (e.g. col. 20, lines 23 – 48 & col. 22, line 60 – col. 23, line 9). It would have been obvious to one skilled in the art at the time of the invention to combine Beser with Romanov because it would be more efficient if the system were able to forward equivalence class for a routing table entry in case of a network that would be expanded and needed to update a routing table.

27.   Claim 11 is rejected for similar reasons as stated above.

28.   Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Romanov (6434144) in view of Peacock (6381650).

29.   As per claim 6, Romanov does not specifically teach wherein using the regular expression in place of the at least one address comprises using the regular expression to specify at least one address of an address pool. Peacock teaches wherein using the regular expression in place of the at least one address comprises using the regular expression to specify at least one

address of an address pool, (e.g. col. 3, lines 19 – 40). It would have been obvious to one skilled

in the art at the time of the invention to combine Peacock with Romanov because it is more

efficient to have a regular expression to signify a pool of addresses then having multiple regular

expressions for a pool of addresses. This could save space in address tables and time in packet

switching.

30.   Claim 12 is rejected for similar reasons as stated above.

Response to Arguments

31.   As to the response to claims 1, 8, 15 and 16 that are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite, the applicant stated that the Applicant is using the well known

format of Markush type claim, described as permissible in MPEP § 803.2.

32.   Examiner as viewed MPEP § 803.2, and this section is for restriction purposes and not

for 35 U.S.C. 112, second paragraph. Therefore, rejection still stands as previously stated and

restated above.

33.   Applicant's arguments with respect to claims 1 – 4 and 6 – 16 have been considered but

are moot in view of the new ground(s) of rejection.

Conclusion

34.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

35.   a.   McCanne U.S. Patent No. 6611872 discloses System and method for reducing latencies while translating internet host name-address bindings.

36.   b.   Bhagavath it al. U.S. Patent No. 6163810 discloses System and method for managing the exchange of information between multicast and unicast hosts.

37.   c.   Kenner et al. U.S. Patent No. 6112239 discloses System and method for server-side optimization of data delivery on a distributed computer network.

38.   d.   Caronni et al. U.S. Patent No. 6195751 discloses Efficient, secure multicasting with minimal knowledge.

39.   e.   Mogul U.S. Patent No. 6262987 discloses System and method for reducing latencies while translating internet host name-address bindings.

40.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

41.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

42.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 703-305-5333. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

De

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